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Economic and Social Council

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Permanent Forum on Indigenous Issues
Third session
New York, 10-21 May 2004
Item 4 of the provisional agenda*
Mandated areas

Information received from non-governmental organizations

Note by the Secretariat

In its report on its second session, held in May 2003, the Permanent Forum on Indigenous Issues identified proposals, objectives, recommendations and areas of possible future action and, through the Economic and Social Council, recommended that States, United Nations system and intergovernmental organizations, indigenous peoples and non-governmental organizations assist in their realization. Information received in this regard from non-governmental organizations is contained in the present document and its addenda.

* E/CN.19/2004/1.

04-24885 (E) 170304

Franciscans International

Statement on indigenous women

1. Franciscans International is a non-governmental organization representing Franciscans worldwide and has among its members indigenous people and many who work with indigenous peoples.

2. Traditionally, indigenous societies have viewed women as representatives of the cycle of life, to be honoured and valued. Many indigenous societies were matriarchal, with women having a strong role in the succession of chiefs, the decision to go to war, the distribution of common resources, etc. Traditional religion and politics protected women, who were always at the centre of those forms of human activity.

3. Today many indigenous women are marginalized twice: by race and by gender. Their security, health and overall level of well-being must be made a priority by the United Nations, its Member States, non-governmental organizations and, most importantly, indigenous peoples themselves.

4. In 2004 we are celebrating the tenth anniversary of the International Year of the Family, which is of great concern to indigenous women. They have called for research on family issues such as domestic violence, child neglect and incest. They have also asked for counselling programmes to address drug abuse, family problems and health concerns, as well as homes for the elderly.

5. Violence against indigenous women and high suicide rates are sometimes by-products of poverty and oppression. One study has shown that Maori women in New Zealand between the ages of 15 and 24 were seven times as likely as non-Maori women to be hospitalized as a result of domestic assault. Native American women experience the highest levels of sexual and domestic abuse of any group in the United States of America. Similar statistics are found elsewhere.

6. Contemporary problems such as child abuse and violence against women are learned behaviours. The cycle can be broken by restoring indigenous women to their traditional place of honour. For example, bride price, traditionally an acknowledgement of the important contribution women made to their families of birth and to recompense the family for its loss, has evolved into the concept of bride purchase, in which women are viewed as a commodity to be bought and sold. An earlier symbol of women's worth is now sometimes a symbol of degradation, when men say, "I bought you. You must do everything I say".

7. To successfully address violence against women we must take into consideration all forms of oppression. Racism, classism and ageism increase the vulnerability of women to both individual and institutionalized acts of violence. The oppression of people of colour, the poor, the elderly, children and others who are marginalized is supported by the same dynamics that maintain the power of a limited few over the majority. Ultimately, working to end violence against indigenous women is also working to end all forms of oppression.

8. Indigenous women have spoken to us of their concerns about:

(a) the breakdown of family traditions;

(b) the loss of culture and language;

(c) individual ambition, rather than tribal sharing.

9. They have stressed the need for programmes that address the loss of tribal values and work to reinstate them, including:

(a) respect for elders and the treasuring of children;

(b) a renewed emphasis on love, sharing and a spiritual connection with all creation;

(c) strong programmes to imbue small children with traditional values before peer groups and modern culture can overtake the elders.

10. Allowing and assisting the resurgence of indigenous languages where they are being lost is an important factor in maintaining culture and tradition. To a large extent, language is women's knowledge, because it is they who are the first teachers of the language and therefore control how it will be learned. Language carries the values, concepts and ways of looking at life that define the group and make it unique.

11. Increasing indigenous women's role in governance is key. Indigenous women need to have the effective ability to promote their own interests, speak for themselves, express their own identities and participate in the development of policies that affect them. They have specifically asked for research on their special health needs, including in relation to nutrition and cancer, physical fitness, diabetes, osteoporosis and narcotics.

12. Indigenous women must have a direct role in setting educational policy, establishing law and disseminating their traditional culture. This will be aided by more positive media attention that recognizes the achievements of indigenous peoples, and by community groups honouring their special contributions. The research requested by indigenous families on family issues, counselling programmes and resources must be carried out. When indigenous women are restored to their traditional place of honour, their own self-esteem will improve, family harmony will increase and the entire community will benefit.

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Note by the Secretariat

Addendum

American Psychological Association

* E/C.19/2004/1.

04-25291 (E) 230304

1. The American Psychoiogical Association was honoured to support the first two Permanent Forums on Indigenous Issues in May 2002 and May 2003.

2. We were additionally pleased with the Permanent Forums' recognition of the mental health needs of children as described in the Outcome Document of the 2nd Permanent Forum.

3. Recognizing the importance of the Permanent Forums' decision to focus the third session on the issues facing Indigenous women, the American Psychological Association recommends the following actions for the six mandated areas of the Forum:

Economic and Social Development

4. Recognizing that poverty and lack of development negatively effect Indigenous women physically, psychologically, socially, and politically,

We urge Member States to collect and disseminate data on the income, employment status, government funded job training, and benefits of Indigenous women in their countries and (2) to support funds and programs that focus on economic empowerment and employment training for Indigenous women

We encourage UN agencies to determine the interaction between poverty and health care access of Indigenous women, including both physical and mental health care

We recommend Indigenous Peoples Organizations to dedicate resources to the employment and economic needs of Indigenous Women including women's business initiatives and collective banking associations

We invite Permanent Forum Members to note the serious consequences of poverty including exposure to violence, discrimination, depression, and substance abuse.

Environment

5. Taking into account the negative physical and mental health effects of environmental toxins,

We urge Member States to collect and disseminate data on the actions taken by the government to alleviate environmental toxins and to determine the physical and mental health consequences evidenced in Indigenous women who have been affected by environmental toxins

We encourage UN agencies to dedicate resources to the prevention of further harm to Indigenous women by environmental agents

We recommend Indigenous Peoples Organizations to research and educate Indigenous women about any environmental agencies that may have negative health consequences to them

We invite Permanent Forum Members to note the serious consequences of environmental agents, including depression and anxiety

Health

6. Recognizing the serious mental health issues facing Indigenous women coupled with the limited mental health resources made available to them,

We urge Member States to collect and disseminate data on the known prevalence of mental health issues facing Indigenous women, including post traumatic stress disorder, substance abuse, depression, anxiety,

and suicidality; in addition current mental health services utilized by Indigenous women should be determined.

We encourage UN agencies to dedicate resources to research on culturally effective treatment for Indigenous women with mental health concerns.

We recommend Indigenous Peoples Organizations to provide education to Indigenous women on mental health issues facing women including domestic violence, sexual assault, sexual harassment, and discrimination, as well as community resources available to assist women

We invite Permanent Forum Members to note that the pervasive problems of trafficking, poverty, and discrimination have negative effects on the mental health of Indigenous women

Human Rights

7. Being aware that violations of the human rights of Indigenous women results in physical, psychological, economic, and social consequences

We urge Member States to dedicate additional resources to the elimination of violence against women, both community violence and domestic violence.

We encourage UN agencies to dedicate resources to monitoring and penalizing those responsible for the trafficking of women

We recommend Indigenous Peoples Organizations to advocate for Indigenous women who are survivors of trafficking and violence.

We invite Permanent Forum Members to note the serious consequences of human rights violation on Indigenous women, including death, depression, and posttraumatic stress.

Culture

8. Taking into account the importance of cultural identity and preservation for positive mental health outcomes such as self esteem and self efficacy,

We urge Member States to document steps that they are taking to preserve and protect the culture of Indigenous women

We encourage UN agencies to monitor and fortify funds focused on the preservation of Indigenous women's cultural intellectual integrity, property, customs, art, and oral history.

We recommend Indigenous Peoples Organizations to dedicate resources to cultural education and awareness for Indigenous girls to preserve their sense of self-esteem and cultural esteem

We invite Permanent Forum Members to note the serious consequences of poverty including exposure to violence, discrimination, depression, and substance abuse.

Education

9. Being aware of the positive effects of education on Indigenous women including economic and social development, as well as physical and mental health,

We urge Member States to collect data on the literacy rates and programs for Indigenous women as well as to develop a five-year plan for improving the literacy rates of Indigenous women

We encourage UN agencies to research the physical, economic, psychological, and political benefits to individuals and communities, as the rates of literacy among Indigenous women increases

We recommend Indigenous Peoples Organizations to advocate for educational opportunities for Indigenous women

We invite Permanent Forum Members to note the role of educational access in the development and health of Indigenous women.

Summary

Economic development, social development, education, cultural preservation, safe environments, protection of human rights, and physical and mental health care access are key to safeguarding the lives of Indigenous women.

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Note by the Secretariat

Addendum

Asian Indigenous and Tribal Peoples Network

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04-25301 (E) 250304

1. The Permanent Forum on Indigenous Issues already conducted two successful sessions without a secretariat. The establishment of a separate secretariat is a giant step. In order to ensure that the Forum and its Secretariat can fulfill the aspirations of the indigenous peoples from all over the world, the Forum could consider the following areas of work in future.

A. Development of Guidelines for Integration of Indigenous Issues

2. One of the mandates of the Permanent Forum on Indigenous Issues is to "promote the integration and coordination of activities relating to indigenous issues within the United Nations system." The question is how could the Permanent Forum fulfill its mandate of coordination with large United Nations agencies with a small Secretariat. The presentation of the annual sessional report to the United Nations Economic and Social Council will soon become a ritual and is not the ideal way of promoting integration and coordination of activities on indigenous issues.

3. Integration of women rights' issues in the UN system provides excellent lessons for the Forum. The Secretary General regularly reports to the Commission on Human Rights and other relevant bodies about the Integration of Women Rights' Issues in the United Nations system. The Durban Declaration and Programme of Action in its paragraph 209 called upon to multilateral institutions to develop such principles for indigenous peoples.

4. One of the important future tasks of the Permanent Forum could be to elaborate upon the paragraph 209 of the Durban Declaration and Programme of Action and draft *Principles on Integration of Indigenous Peoples Issues in the United Nations system* for consideration by the ECOSOC and the Secretary General of the United Nations. The Secretary General subsequently should adopt these principles binding to all UN agencies, funds and programmes to ensure that indigenous peoples' priorities are properly reflected in the Country Strategy Note and Common Country Assessment and assistance under the United Nations Development Assistance Framework.

5. If the Forum is to have any meaning for over 300 million indigenous peoples, the rhetorical discussions at the Forum, at the headquarters of the United Nations agencies and the Inter-Agency Support Group on PFII must be transformed into principles to be implemented at national level by the UN agencies. Unless the Secretary General adopts such principles, it would be difficult for the Forum, its secretariat to ensure that UN agencies at the national level give adequate priorities to indigenous issues. It will be unfortunate if promotion of coordination and integration were to be reduced to the submission of Forum's annual report to the ECOSCO without proper record of the debates.

B. A United Nations Fund for Indigenous Peoples

6. The establishment of the Permanent Forum on Indigenous Issues is one of the key objectives of the International Decade on World's Indigenous Peoples (1995-2004). As the United Nations evaluates the International Decade, the Permanent Forum needs to play a crucial role to promote and protect indigenous peoples rights beyond the decade.

7. Across the world, indigenous peoples are lowest in the economic ladder of the society. The root cause of majority of the conflicts with indigenous peoples is political but economic neglect and deprivation perpetuates and accentuates these conflicts.

8. A United Nations Fund for Indigenous Peoples is the best way to reach out to the majority of indigenous peoples all over the world to promote the economic, social and cultural development of all indigenous peoples. The Voluntary Fund for International Decade has failed to reach out to indigenous peoples due to lack of resources.

9. The United Nations had earlier established UN Voluntary Fund for Women. It was later turned into United Nations Funds of Women (UNIFEM). The Permanent Forum on Indigenous Issues should play an effective role in contributing towards the establishment of the United Nations Fund for Indigenous Peoples.

C. Establishing linkages with the National Human Rights Commission

10. One of the recommendations of the Paris Principles on National Human Rights Institutions is to take steps "to ensure that the composition of the membership of National Human Rights Institutions reflects the diversity of the country and population, and to ensure that members of groups which are victims of or vulnerable to racism, racial discrimination, xenophobia and related intolerance have adequate access to these institutions".

11. The Aboriginal Torres Straight Islander Commission is a part of the Australian Human Rights and Equal Opportunities Commission. Although, a large number of countries across the world (see ww.nhri.net) have established National Human Rights Institutions, they have not fully complied with the Paris Principles of National Human Rights Institutions.

12. The Permanent Forum on Indigenous Issues should create mechanisms to raise awareness on indigenous issues with these National Human Rights Institutions for promotion and protection of indigenous peoples rights at national level.

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Note by the Secretariat

Addendum

Grand Council of the Crees

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1. We wish to bring to the attention of this Forum a most serious matter concerning Indigenous peoples' human rights and the Commission on Human Rights' inter-sessional Working Group that is considering the draft *U.N. Declaration on the Rights of Indigenous Peoples* for possible adoption by the U.N. General Assembly. The adoption of a declaration on the rights of indigenous peoples is a major objective of the International Decade of the World's Indigenous People, as the General Assembly has emphasized (see U.N.G.A. Res. 52/108, para. 6).

2. Over a period of about nine years, the expert members of the Working Group on Indigenous Populations (WGIP) carefully formulated the draft *U.N. Declaration*. Indigenous peoples, States, specialized agencies and academics actively participated in this process. Both the WGIP and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities have approved the current text of the draft *Declaration*. However, since its inception in 1995, the inter-sessional Working Group has only provisionally approved 2 of the 45 Articles of the draft *Declaration*.

3. We are deeply concerned that the mandate of the UNCHR inter-sessional Working Group may not be renewed after the end of the International Decade of the World's Indigenous People in December 2004. This would in effect terminate the standard-setting process on the human rights of Indigenous peoples within the United Nations and would constitute a major failure within the context of the International Decade.

Urgent need to ensure an ongoing standard-setting process on Indigenous peoples' human rights

4. The UNCHR inter-sessional Working Group is slated to hold only one more session this year. There is no assurance that this standard-setting process will be continued. Therefore, we would like to emphasize the urgent need for an ongoing standard-setting process. At the same time, it is necessary to evaluate and improve the overall functioning of the Working Group.

5. First, it is important to underline that a decision to renew the mandate of the UNCHR inter-sessional Working Group to consider further the *U.N. Declaration on the Rights of Indigenous Peoples* can and should be made independently of any decision relating to the proclamation of a second Decade of the World's Indigenous People. The human rights standard-setting process concerning Indigenous peoples is too important to hinge upon the establishment of a second Decade. Rather, such a standard-setting initiative should continue in order to fulfill one of the most critical Purposes of the United Nations in the context of the world's Indigenous peoples. As the U.N. General Assembly has underlined in the context of the present Decade:

> ... one of the purposes of the United Nations, as set forth in the Charter, is the achievement of international cooperation ... in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion ... (U.N.G.A. Res. 48/163, preamble)

6. The fact that the standard-setting process has been time-consuming and difficult in terms of achieving consensus or "making progress" is evidence of the complexity of the issues and the unique nature of the status and rights of Indigenous peoples. It is also evidence, at least to some degree, of the lack of political will of some States to begin redressing past and ongoing violations of our human rights and prevent such unacceptable acts in the future.

7. Regardless of the ongoing challenges, it is crucial that the human rights of Indigenous peoples be explicitly affirmed through a standard-setting process leading to the adoption of a draft *U.N. Declaration*. While such a Declaration cannot resolve all of the fundamental issues impacting on Indigenous peoples'

rights, it is an essential and significant first step. Our basic rights must be explicitly embraced within a principled international framework.

8. Failure within the U.N. to continue this process could serve to undo the important work accomplished to date. In particular, most or all of the efforts of Indigenous peoples throughout the years in regard to the draft *U.N. Declaration* could be wiped out or severely diminished.

9. We wish to reiterate here what the Netherlands Centre for Indigenous Peoples (NCIV) has recently indicated to the 60th session of the U.N. Commission on Human Rights. Without the adoption of minimum standards for the survival, dignity and well-being of the Indigenous peoples of the world, as carefully elaborated in the draft *U.N. Declaration*, there is no broad-based, cohesive and commonly-shared foundation on which the U.N. specialized agencies and other bodies, including the Permanent Forum, can base their policies and procedures. The U.N. Secretary General noted in 1999 that in actual practice U.N. bodies "are either not adopting particular guidelines or else are developing guidelines on the basis of different procedures". (A/54/487, p. 3, para 5).

10. We acknowledge that some U.N. specialized agencies are making genuine, good faith efforts to implement effective standards in relation to Indigenous peoples. However, in the absence of a strong, cohesive human rights instrument such as the draft *U.N. Declaration*, it becomes much more difficult to adopt a coordinated and consistent approach that commands the respect and attention of the international community.

11. In 2002, U.N. Secretary General Kofi Annan directed that the U.N. system and all of its subsidiary organs and programs follow a human rights based approach in their work. In regard to the Permanent Forum and other UN agencies and bodies dealing with Indigenous issues, how is this possible, if member States refuse to adopt international Indigenous human rights standards in a formal Declaration?

12. At the same time, should the mandate of the UNCHR inter-sessional Working Group be renewed, we must recognize that the current procedures are inadequate and ineffective. Thus the U.N. must improve the working methodology concerning the development of standards, in a manner consistent with the unique status and role of Indigenous peoples.

13. Some States may see no reason to simply continue a process that leads to little or no results. The same reality faces Indigenous peoples, nations and organizations. Therefore, it is important to determine – on an urgent basis – concrete ways to substantially improve the current standard-setting process and the procedures and functioning of the UNCHR inter-sessional Working Group.

14. There are a number of elements that could help to significantly improve the performance of the UNCHR inter-sessional Working Group and that might be considered by the Commission on Human Rights, as well as by representatives of Indigenous peoples and States, in this context. Such elements include:

- Introduction of specific criteria within the Working Group, so as to ensure strict adherence to the Purposes and Principles of the *U.N. Charter* when proposing new or modified human rights norms

- In particular, attempts to undermine the human rights of Indigenous peoples or create discriminatory double standards should not be permitted or tolerated within the Working Group

- Alteration of existing rules so as to allow the appointment of two co-chairs (one of which would be Indigenous)

- Fair and balanced consideration of Indigenous and State positions in preparing the Chair's yearly report

- Improved translations procedures so that representatives of Indigenous peoples and States could have timely Spanish, French, Russian, etc. versions of proposed revisions to the draft *Declaration*

- Increased encouragement of *joint submissions* with a view to reaching consensus on specific Articles in the draft *Declaration*

- Use of U.N. web site to make available Indigenous and State positions on the various Articles of the draft Declaration;

- Increased financial assistance to ensure equitable and democratic participation of Indigenous peoples from all regions of the globe

- Live webcasts of UNCHR WG sessions

- Use of expert panels or committees to address specific human rights issues relating to Indigenous peoples

- New strategies to increase State commitment to the objectives of the human rights standard-setting process relating to Indigenous peoples

- Ensuring an effective role for the Permanent Forum and its members in advancing the goals of human rights standard-setting

- Encouraging greater participation by specialized agencies in the Working Group

- Greater coordination between such standard-setting processes at the United Nations and those at a regional level (such as the Organization of American States)

- Increased public education and awareness of the importance of developing international human rights standards relating to Indigenous peoples

- Increased attention and priority accorded by the U.N. Commission on Human Rights and the General Assembly towards achieving a *U.N. Declaration on the Rights of indigenous Peoples*.

We call upon the Permanent Forum to strongly recommend to the Economic and Social Council the continuation of the U.N. standard-setting process relating to Indigenous peoples' human rights.

We further call upon the Permanent Forum to determine concrete ways to substantially improve the standard-setting process within the Commission on Human Rights' inter-sessional Working Group on the draft *U.N. Declaration on the Rights of Indigenous Peoples*, and to make specific recommendations to the Economic and Social Council in this regard.

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Substantive theme: "Indigenous women"

Note by the Secretariat**

Summary

Following the decision of the Permanent Forum on Indigenous Issues to make "Indigenous women" the special theme of its third session, a number of activities have taken place to prepare input relating to that theme. The present note briefly provides information on such activities, including preparations for the high-level panel and dialogue on indigenous women, and points out some of the areas where the input of the Permanent Forum would be particularly pertinent.

* E/C.19/2004/1.

** The document is being submitted after the slotted date in order to take into account the results of the 2004 session of the Inter-Agency Network on Women and Gender Equality.

04-26267 (E) 240304

I. Introduction

1. At its second session, in May 2003, the Permanent Forum on Indigenous Issues decided that the special theme of its third session would be "Indigenous women", and the Economic and Social Council confirmed this in its decision 2003/305 of 25 July 2003. Among its recommendations, the Forum included a number on indigenous women, contained in chapter I, paragraphs 64, 65, 77, 81, 108, 128 and 129, of its report on its second session.[1] The selection of the special theme "Indigenous women" was prompted by the recognition of the significant contributions of indigenous women to their communities and also by the need to address the special challenges that they face. In selecting the special theme the Permanent Forum also responded to the recommendation of the Indigenous Women's Caucus and others, as well as its own desire to contribute meaningfully to the 10-year review and appraisal of the Beijing Platform for Action in 2005.

2. Important policy initiatives at the regional level relating to indigenous women have been planned for 2004. In chapter I, paragraph 128, of the report on its second session, the Forum recommended that the Economic and Social Council, the relevant United Nations cooperating agencies and Governments of the regions involved provide technical facilities and grant the necessary political and moral support for organizing (a) the Fourth Continental Summit of Indigenous Women of the Americas, (b) the Second Continental Conference of Indigenous Women of Africa and (c) the Second Conference of Asian Indigenous Women.

3. In preparation for the third session, the secretariat of the Permanent Forum invited Governments, the United Nations system, other intergovernmental organizations, indigenous organizations and other non-governmental organizations to include material relevant to indigenous women in their written submissions for that session. Various agencies and Governments have integrated such input into their overall submissions, which are published under item 4 of the provisional agenda, "Mandated areas". Some responses of non-governmental organizations are devoted to indigenous women exclusively and thus are published under item 3. Delegations preparing for the third session of the Forum were also encouraged to enhance the representation of indigenous women at the session. As of the date of submission of the present document, responses from the United Nations system (the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organization (ILO), the United Nations Children's Fund, the United Nations Development Fund for Women, the United Nations Institute for Training and Research, the Economic Commission for Latin America and the Caribbean, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Human Settlements Programme) had integrated elements on indigenous women.

II. High-level panel and dialogue

4. The Forum will convene a high-level panel and dialogue on indigenous women on 10 May 2004 to stimulate further discussion and analysis within the Forum, the United Nations system, Governments, indigenous peoples' organizations, non-governmental organizations and others. The discussion is also expected to inform the consideration of the other agenda items of the third session so that

recommendations can be formulated taking into account the human rights of indigenous women.

5. The members of the panel will include Njuma Ekundanayo, Vice-Chairperson of the Permanent Forum, with the portfolio on gender; Kyung-wha Kang, Chairperson of the Commission on the Status of Women; Noeli Pocaterra, Second Vice-President of the National Assembly of Venezuela; Mary Robinson, Chairperson of the Council of Women World Leaders, Executive Director of the Ethical Globalization Initiative, former United Nations High Commissioner for Human Rights and former President of Ireland; and Stella Tamang, Chairperson of the International Indigenous Women's Caucus. The panel will be chaired by the Chairperson of the Forum, Ole Henrik Magga. Representation of United Nations Member States at the level of Permanent Representative will be encouraged. After the introductory statements of the panellists, the Permanent Forum will hear the reports of regional indigenous women's caucuses. A dialogue will take place with Forum members as well as observers representing Member States, United Nations agencies, funds and programmes, indigenous peoples' organizations and non-governmental organizations. A Chairman's summary of the panel will be prepared and annexed to the report on the third session.

6. The substantive framework of the high-level panel and dialogue is provided by the relevant international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and ILO Convention No. 169 concerning Indigenous and Tribal Peoples, as well as policies outlined by various global conferences, such as the United Nations Fourth World Conference on Women (Beijing), the World Summit for Social Development (Copenhagen), the Millennium Summit (New York), the World Summit on Sustainable Development (Johannesburg), the International Conference on Population and Development (Cairo) and others. Questions that the panel is expected to address include:

(a) The main challenges faced by indigenous women today;

(b) Some good examples of approaches to solutions at the national and local levels, as well as at the regional, subregional and international levels;

(c) How the rights of indigenous women should be better promoted and protected;

(d) How development programmes for indigenous women should be enhanced at the national and international levels;

(e) What types of action are needed in legislation, institutions, policies and budgets;

(f) How the Permanent Forum, other United Nations bodies and mechanisms, the United Nations system and other intergovernmental organizations, indigenous peoples' organizations, non-governmental organizations, the private sector and others can strengthen their contributions to the improvement of the lives of indigenous women.

III. Mainstreaming gender throughout the third session of the Permanent Forum

7. In order to promote the integration of the special theme throughout the mandated areas of the Permanent Forum, special guests will be invited to participate in introductions of the various items on the agenda. These will include Feride Acar, Chairperson of the Committee on the Elimination of Discrimination against Women; Yakin Ertürk, Special Rapporteur on violence against women; Erica Irene Daes, honorary permanent member of the Working Group on Indigenous Populations; representatives of United Nations agencies, funds and programmes; and others. It is expected that this rich debate will lead to comprehensive recommendations on indigenous women.

IV. Inter-Agency Network on Women and Gender Equality

8. At the third session of the Inter-Agency Network on Women and Gender Equality, held in New York from 23 to 26 February 2004, the secretariat of the Permanent Forum on Indigenous Issues informed the Network of the special theme of the 2004 session of the Permanent Forum and invited the Network to contribute actively to this process and to place the subject of indigenous women on the agenda of the 2005 session of the Network as a separate item.

9. In the report of the Network to the Commission on the Status of Women, it was noted that the situation of indigenous women was identified as one of the emerging issues that would require more consistent and focused attention at the inter-agency level and, in view of the special theme of the third session of the Permanent Forum, members of the Network were encouraged to provide inputs. It was suggested that the Network could include an item on indigenous women at its next session, in 2005. The Network subsequently decided to include such an item on its agenda for 2005 and to establish an intersessional task force to work on the issue. Eight members of the Inter-Agency Network offered to be the initial members of the task force on indigenous women, namely, the Division for the Advancement of Women/Department of Economic and Social Affairs, the secretariat of the Permanent Forum on Indigenous Issues/Division for Social Policy and Development/Department of Economic and Social Affairs, the United Nations Economic and Social Commission for Asia and the Pacific, the Economic Commission for Africa, FAO, ILO, OHCHR and the Office of the Special Adviser on Gender Issues and Advancement of Women. The secretariat of the Permanent Forum was designated task manager.

V. Commission on the Status of Women

10. The Commission on the Status of Women will have before it, among other documents, the report of the Inter-Agency Network, which identifies the situation of indigenous women as an emerging issue. Within the framework of the 2004 session of the Commission, one of whose thematic issues is "Women's equal participation in conflict prevention, management and conflict resolution and post-conflict peace-building", the secretariat of the Permanent Forum organized a panel discussion on 10 March 2004 on the topic "The participation of indigenous women in conflict

prevention, conflict resolution and post-conflict peace-building". Participating in the panel discussion were Michel Duclos, Deputy Permanent Representative of France to the United Nations representing the presidency of the Security Council for March 2004; Njuma Ekundanayo, Vice-Chairperson of the Permanent Forum on Indigenous Issues, with the portfolio on gender; Carmen Jerez, Director of the Educational Network of Ambayata (Ecuador); Stella Tamang, Chairperson of the International Indigenous Women's Caucus; and Danilo Türk, Assistant Secretary-General for Political Affairs. Johan Schölvinck, Director of the Division for Social Policy and Development/Department of Economic and Social Affairs, served as moderator.

VI. Side events

11. Special emphasis is placed this year on side events on the special theme of the third session of the Permanent Forum. In case of a shortage of space, the Secretariat will give priority to the hosting of events on issues relating to indigenous women.

VII. Other issues brought to the attention of the Permanent Forum

12. **In addition to points raised under parts II to VI above, the Permanent Forum on Indigenous Issues may wish to pay attention to the following international initiatives, which are of immediate relevance to the special theme "Indigenous women" and would warrant the reflection and input of the Permanent Forum:**

(a) **The 10-year review and appraisal of the Beijing Platform for Action in 2005;**

(b) **The 2004 *World Survey on the Role of Women in Development*, focusing on gender and migration. A Secretary-General's report on the topic will be submitted to the Second Committee of the General Assembly at its fifty-ninth session and will be a significant contribution to the 10-year review and appraisal of the Beijing Platform for Action;**

(c) **The scheduled publication in 2005 of the next edition of *The World's Women* by the Statistics Division of the Department of Economic and Social Affairs. The publication will analyse the current state of gender statistics at the national level, with a focus on official statistics relevant to monitoring progress towards achieving gender equality, as mandated by the Convention on the Elimination of All Forms of Discrimination against Women and embodied in the Beijing Platform for Action. The analysis of the publication will consider all gender-related aspects of the Millennium Development Goals;**

(d) **The commemoration of the twenty-fifth anniversary of the Convention by the Committee on the Elimination of Discrimination against Women at its next session, from 6 to 23 July 2004. The Committee is expected to devote special attention to migrant women in 2005;**

(e) The issue of migration as a major theme in various international initiatives. It would appear appropriate for the Permanent Forum to devote attention to this subject, including the question of the impact of migration on indigenous women.

Notes

[1] *Official Records of the Economic and Social Council, 2003, Supplement No. 23* (E/2003/43-E/C.19/2003/22).

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Agenda item 3 of the provisional agenda*
Substantive theme: "Indigenous women"

Information received from non-governmental organizations

Note by the Secretariat

The Secretariat has the honour to transmit the following statement submitted by the Netherlands Centre for Indigenous Peoples, a non-governmental organization in consultative status with the Economic and Social Council.

* E/C.19/2004/1.

04-25260 (E) 240304

Netherlands Centre for Indigenous Peoples

Statement submitted on behalf of the Indigenous Women's Biodiversity Network

1. The **Indigenous Women's Biodiversity Network** (IWBN), an open network of Indigenous women interested in the area of environment, was initiated in 1998 at the 4th Conference of the Parties (COP IV) of the Convention on Biological Diversity (CBD), held in Bratislava, Slovakia. The IWBN was founded by the participating Indigenous women who felt it necessary to draw attention to their full and effective participation in the conservation and sustainable use of biological diversity within their communities, as well as their rights as knowledge holders. Since then the IWBN has held numerous meetings and it members have actively participated in the work of the CBD in such fora as the COPs, the Ad-Hoc Open-Ended Working Groups on Articles 8(j), the Ad-Hoc Open-Ended Working Group on Access and Benefit-Sharing of Genetic Resources and the World Summit on Sustainable Development. In each of these fora, the IWBN has lobbied, networked and negotiated with the governments for the inclusion of Indigenous women within the official decisions and programmes of work of the CBD and for their greater participation within this process.

2. One of the most important CBD articles for Indigenous Peoples is Article 8(j). This article calls for the Parties to the CBD to respect, preserve and maintain Indigenous knowledge, practices and innovations, as well as promoting their wider use with the approval and involvement of Indigenous Peoples. Furthermore, Article 8(j) encourages the equitable sharing of benefits when this occurs.

COP decisions V/16 and VI/10 on Article 8 (j) and related provisions state:

Recognizing the vital role that women play in the conservation and sustainable use of biodiversity, and emphasizing that greater attention should be given to strengthening this role and the participation of women of indigenous and local communities in the programme of work,

and

Requests Parties, Governments, subsidiary bodies of the Convention, the Executive Secretary and relevant organizations, including indigenous and local communities, when implementing the programme of work contained in the annex to the present decision and other relevant activities under the Convention, to fully incorporate women and women's organizations in the activities;

3. The objectives of the Annex of the Programme of Work on the Implementation of Article 8 (j) and Related Provisions are:

to promote within the framework of the Convention a just implementation of Article 8(j) and related provisions, at local, national, regional and international levels and to

ensure the full and effective participation of indigenous and local communities at all stages and levels of its implementation.

4. One of the general principles of the Programme of Work on Article 8(j) and Related Provisions includes the "Full and effective participation of women of indigenous and local communities in all activities of the programme of work". In addition, Task 4 of the first phase of that Programme of Work calls for the Parties to the CBD:

To develop, as appropriate, mechanisms for promoting the full and effective participation of indigenous and local communities with specific provisions for the full, active and effective participation of women in all elements of the programme of work, taking into account the need to:

(a) Build on the basis of their knowledge;

(b) Strengthen their access to biological diversity;

(c) Strengthen their capacity on matters pertaining to the conservation, maintenance and protection of biological diversity;

(d) Promote the exchange of experiences and knowledge;

(e) Promote culturally appropriate and gender specific ways in which to document and preserve women's knowledge of biological diversity.

5. Most recently the IWBN met from 4-5 February on the island of Manukan in Sabah, Malaysia in order to collectively prepare and strategize for the 7th meeting of the Conference of the Parties to the Convention on Biological Diversity. Out of this meeting came the "Manukan Declaration of the Indigenous Women's Biodiversity Network". We now submit to you the following key concerns and issues that came out of this meeting:

Indigenous women have a vital role in the conservation, transmission and sustainable use of biological diversity. It is critical that Indigenous women are active participants and decision-makers at every stage in developing and implementing the programmes of work and decisions of the CBD and that our knowledge of local ecosystems is recognized.

Our priority is to protect our inalienable and inherent rights over our knowledge and our biological and genetic resources. Any international regime on access and benefit sharing on genetic resources must include the right of Indigenous Peoples to free, prior informed consent as well as the right to deny access to our knowledge and refuse to participate in any access and benefit sharing arrangement.

There is a need for sui generis systems for protecting our knowledge because current intellectual property regimes are inadequate, inappropriate and do not take into consideration our customary laws.

The health and well-being of Indigenous women is intimately linked to the health of ecosystems and access to our traditional medicines. There is an urgent need to address issues of globalization, climate change, contaminants, such as the persistent organic

pollutants, and biopiracy which threaten our environments, health, well-being and livelihoods, and that of our children.

Indigenous women have not been sufficiently engaged in the identification and management of protected areas, which have often violated our rights, restricted our livelihood and access to natural and cultural resources and impoverished our Peoples. The CBD must fully incorporate the issues of equity, rights and prior informed consent.

Specific capacity-building activities for Indigenous women should be carried out such workshops on Indigenous women, traditional knowledge and the CBD.

6. Based on the above, we recommend that

The Permanent Forum on Indigenous Issues should:

Seek the expertise of the IWBN in their work relating to their mandated area of environment;

Ensure that Indigenous women and their concerns are included within the policies related to Indigenous Peoples within the United Nations and other relevant bodies;

Examine the issues of globalization, climate change, contaminants, such as persistent organic pollutants, and biopiracy especially in relation to the health of Indigenous women and children;

Request the Parties to the CBD to ensure that Indigenous women are sufficiently engaged in the identification and management of protected areas;

Encourage the Parties to the CBD to be more inclusive of Indigenous women in all of their official decisions and programmes of work;

Support and facilitate a workshop on "Indigenous Women, Traditional Knowledge and the CBD".